



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

MAY 23 2006

Wayne Gieselman, Director
Environmental Protection Division
Iowa Department of Natural Resources
Wallace Building
502 East 9th Street
Des Moines, Iowa 50319

Dear Mr. *Wayne* Gieselman:

The U.S. Environmental Protection Agency (EPA) has completed its review of public comments submitted in response to its public notice to add twenty waters to the Iowa 2004 Clean Water Act (CWA) Section 303(d) list.

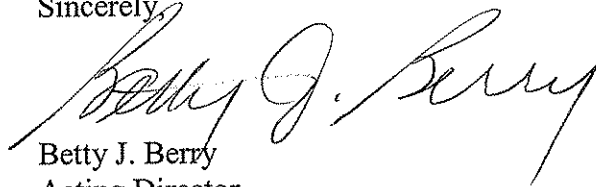
EPA has reviewed Iowa's 2004 CWA Section 303(d) list of impaired waters, and determined that Iowa's 2004 list of water quality limited segments still requiring TMDLs did not include certain waters and pollutants required to be listed. EPA partially approved and partially disapproved Iowa's 2004 CWA Section 303(d) list and provided EPA's rationale for this action in a letter to the Iowa Department of Natural Resources (IDNR) dated November 14, 2005. EPA issued a public notice on November 18, 2005, specifically seeking written comments on EPA's decision to restore six previously listed waters and add fourteen more waters to Iowa's 2004 CWA Section 303(d) list. The 30-day public comment period for this public notice closed on December 19, 2005. EPA's public notice was placed in newspapers serving the following cities and their surrounding areas: Sioux City, Council Bluffs, Des Moines, Mason City, Cedar Rapids, and Burlington. EPA's support documents for the November 14, 2005, action on the Iowa's 2004 CWA Section 303(d) list were placed in public libraries in the above cities and at the EPA Region 7 office, along with the full administrative record. EPA also posted the decision documents on the EPA Region 7 website. EPA's request for public comment was limited to EPA's decision to restore six previously listed waters and add fourteen more waters to the Iowa 2004 Section 303(d) list.

Based on EPA's review of public comment provided in response to the November 18, 2005, public notice, EPA is not adding specific segments of Buffalo Creek (01-WPS-0110_1), the South Skunk River (03-SSK-0020_1) and the East Fork Wapsipinicon River (01-WPS-0190_3) to Iowa's 2004 CWA Section 303(d) list. EPA's rationale supporting its decision not to add these portions of the South Skunk River and Buffalo Creek to the State's list is addressed in response numbers five and seven, respectively, of the enclosed responsiveness summary. EPA's rationale supporting its decision not to add this portion of the East Fork Wapsipinicon River to the list is addressed in response number two of the enclosed responsiveness summary. In addition to determining that these three stream segments should not be included in Iowa's 2004 CWA Section 303(d) list, EPA has

amended its original decision by adding segment 02-IOW-0161_0 of Clear Creek to the State's 2004 CWA Section 303(d) list instead of segment 02-IOW-0160_3 of Clear Creek. EPA's rationale supporting its decision to add this segment to the State's list is addressed in response number six of the enclosed responsiveness summary. The remaining seventeen waters from EPA's November 14, 2005, decision are being added to Iowa's 2004 CWA Section 303(d) list and are identified in the enclosure to this letter.

If you would like to further discuss EPA's action, please contact me at (913)551-7279, or John DeLashmit, Chief of the Water Quality Management Branch, at (913)551-7821.

Sincerely,

A handwritten signature in cursive script, reading "Betty J. Berry". The signature is written in dark ink and is positioned above the printed name and title.

Betty J. Berry
Acting Director
Water, Wetlands, and Pesticides Division

Enclosure